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6 FEB 1962

MEMORANDUM FOR: Legislative Counsel

SUBJECT : Security Monitoring of Congressional Hearings
(Special Preparedness Subcommittee, Armed
Services Committee, U. S. Senate)

1. This past week a representative of this Office monitored the three days of testimony before the Special Preparedness Subcommittee on "military cold war education and speech review policies" for any information reflecting on the security of this Agency.

2. This Agency, or matters of concern thereto, were referred to as follows:


a. Mr. Willis Lawrence, Assistant Director, Policy and Procedures, Directorate of Security Review, Office of the Secretary of Defense, testified 31 January 1962. During the questioning Senator Smith asked Lawrence if he were aware of any case in which a document or speech by a member of the military had been rejected by the Department of Defense following foreign policy approval by the Department of State. Mr. Lawrence replied that he did not. Mrs. Smith then called Mr. Lawrence's attention to a document signed by Mr. Joseph Edgerton, now-retired, in his capacity as Director of Security Review, rejecting the document "Legal Implications of the U-2 and RB-47 Incidents," which was to have appeared in the Navy Judge Advocate Journal. Mr. Lawrence replied that he did not know the circumstances behind the Department of Defense rejection of the particular article. He was directed by the Committee to provide the Committee with a letter explaining the circumstances of this matter in detail.

b. Mr. Arthur Sylvester, Assistant Secretary of Defense for Public Affairs, testified 31 January and 1 February. His testimony has not been completed according to the Committee.

During Mr. Sylvester's testimony concerning the coordination of statements and articles by members of the military with the Department of State on matters generally believed to be matters of foreign policy, he stated that it is common practice to coordinate such documents with all interested Agencies. He specifically mentioned that this is often done in regard to documents in the atomic energy field, in which case the documents are coordinated with the Atomic Energy Commission. Senator Stennis, chairman of the subcommittee, then asked if such coordination would also include the Central Intelligence Agency, to which Mr. Sylvester replied, "I can see it done."

c. A very short while later in the testimony of Mr. Sylvester, subcommittee counsel Kendall repeated the question asked of Mr. Willis Lawrence earlier regarding the document "Legal Implications of the U-2 and RB-47 Incidents," "prepared by a Professor of Law at Columbia University." Mr. Sylvester stated that there were three or four articles prepared for the Navy Judge Advocate Journal Special Issue,, dealing with international law. He indicated that the Department of State approved some parts of them, changed some of them, disapproved some, and approved one, "I guess this is the one." He indicated that he was not fully aware of the circumstances behind the Department of Defense rejection of the article, "We handled it pretty heavily. . . I'm not proud of it." He promised the subcommittee that he would make further inquiries, "I have to go back and see the record," and will report back on the matter.

3. There was no other mention of CIA. A representative of this Office will continue to monitor the hearings when they resume 6 February 1962.


Director of Security

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To L.R.H.
for info.

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L.R.H.